

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

NICHOLAS WARD,

Plaintiff,

Case No. 1:24-cv-946-JMC-JMR

v.

INTERNATIONAL ALLIANCE OF THEATRICAL STAGE  
EMPLOYEES, IATSE LOCAL 480, HAILEY ROY,

Defendants.

**ORDER GRANTING MOTION FOR LEAVE TO AMEND**

Plaintiff moved to amend his first amended complaint on December 23, 2024. ECF No. 30. He previously amended his complaint as of right on September 27, 2024. ECF No. 4. Plaintiff seeks leave to amend “to plead newly discovered facts showing a pattern of racketeering activity by the leadership of Local 480,” ECF No. 30 at 4, and “furnish the Court with additional relevant information to consider when deciding dispositive motions [that] will better clarify the issues for discovery,” *id.* at 5. According to Plaintiff, defendants International Alliance of Theatrical Stage Employees and IATSE Local 480 oppose this motion. *Id.* at 1. But, neither defendant timely responded to the motion.

We grant leave to amend “when justice so requires.” Fed. R. Civ. P. 15(a)(2). Under this undemanding standard, courts “may withhold leave to amend only for reasons such as undue delay, bad faith, or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, or futility of the amendment.” *Cohen v. Longshore*, 621 F.3d 1311, 1313 (10th Cir. 2010) (quoting *United States ex rel. Ritchie v. Lockheed Martin Corp.*, 558 F.3d 1161, 1166 (10th Cir. 2009)) (internal quotations omitted). No such issue is present here in this motion for

leave to amend to which no defendant has timely responded. The Court GRANTS Plaintiff's motion for leave to amend, ECF No. 30.

IT IS SO ORDERED.

Entered for the Court  
this the 7th day of January, 2025

/s/ Joel M. Carson III  
Joel M. Carson III  
United States Circuit Judge  
Sitting by Designation